

Approved 7/28/2014

Town of Chelmsford
Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

**Regular Meeting MINUTES
June 2, 2014**

Attending:

Patricia Wojtas, Chairman
Janet Askenburg, Vice-Chairman
Robert Joyce, Clerk
Matthew Hanson, Selectman
George Dixon, Jr., Selectman

Paul Cohen, Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. This meeting was video recorded by Chelmsford Telemedia.

Chairman Wojtas called the meeting to order at 7:00 PM.

Joint Meeting with School Committee to fill Nashoba School Committee Vacancy

Candidate: Maria Karafelis

School Committee Members Present: Nick DeSilvio, Al Thomas, Barbara Skaar, Michael Rigney

Town Moderator Jon Kurland called the Joint Meeting to Order at 7:02PM.

Motion: by Mr. DeSilvio to nominate Maria Karafelis to the Nashoba Valley Technical High School Committee. Seconded by Selectman Askenburg.

There were no other nominations offered.

Motion: by Selectman Hanson to close nominations. Seconded by Mr. DeSilvio. **Motion carries, unanimous.**

Mrs. Karafelis came forward to explain she has been an alternate member of this Board for several years and looks forward to working as a permanent member.

Mr. Kurland asked for a Roll Call vote:

Nick DeSilvio: Maria Karafelis
Michael Rigney: Maria Karafelis
Al Thomas: Maria Karafelis
Barbara Skaar: Maria Karafelis
Selectman Hanson: Maria Karafelis
Selectman Joyce: Maria Karafelis
Selectman Dixon: Maria Karafelis
Selectman Askenburg: Maria Karafelis
Chairman Wojtas: Maria Karafelis

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Motion: by Selectman Joyce to adjourn the Joint Meeting with the Board of Selectmen and the Chelmsford School Committee at 7:05PM. Seconded by Selectman Hanson.

Motion carries, unanimous.

Joint Meeting with Planning Board to Fill Associate Member Vacancy

Candidates: James E. Clancy IV, Glenn Kohl, Louis G. Marino, Chris Tymula

Planning Board Members present: Ed Roux, George Zaharoolis, Nancy Araway, Mike Raisbeck, Jeff Apostolakes, Colleen Stansfield, Henry Parlee (7:12PM)

The applicants were asked to speak to their interest in applying for this position.

James Clancy explained his experience as an attorney can be an asset to this board, and he would like to learn and help where needed.

Glenn Kohl explained he is also interested in learning and cited his experience as a business owner.

Louis Marino was not present.

Chris Tymula cited his 20 years of civil engineering experience in commercial and residential development to include storm water design.

Selectman Joyce asked Mr. Tymula if he foresaw any conflicts for work done in Chelmsford. Mr. Tymula explained at present his company has no work in Chelmsford and if the situation should arise, he would recuse himself.

Motion: by Mr. Roux to nominate Chris Tymula as Associate Member to the Planning Board. Seconded by Selectman Joyce.

Motion: by Mrs. Stansfield to nominate Glenn Kohl as Associate Member to the Planning Board. Seconded by Mr. Zaharoolis.

There were no further nominations offered.

Motion: by Mr. Raisbeck to close nominations. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Roll Call Vote:

Mr. Zaharoolis: Glenn Kohl
Ms. Araway: Chris Tymula
Mr. Roux: Chris Tymula
Mr. Raisbeck: Chris Tymula
Mrs. Stansfield: Glenn Kohl
Mr. Parlee: Glenn Kohl
Mr. Apostolakes: Glenn Kohl
Selectman Joyce: Chris Tymula
Selectman Hanson: Glenn Kohl
Selectman Askenburg: Chris Tymula

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Selectman Dixon: Glenn Kohl

Chairman Wojtas asked for a total of the votes and was advised that Mr. Tymula had 5 votes, and Mr. Kohl had 6. She explained she felt both candidates were very well qualified for this position, and to avoid a tie she cast her vote for Glenn Kohl.

Motion: by Mr. Zaharoolis to adjourn the Joint Meeting with the Board of Selectmen and the Planning Board at 7:30PM. Seconded by Selectman Hanson. **Motion carries, unanimous.**

Public Service Announcements

National Trails Day Proclamation

Conservation Agent Alison LeFlore explained this day is being celebrated on June 7, 2014 and has been done for 20 years. Active supporters of the Town's recreation areas and trails were thanked for their work, as there is a lot of work done to maintain the trails. This year's activities will be a plant walk at the Lime Quarry Reservation starting at 10:00AM. There is also a scavenger hunt geared towards children which can be completed any time up to June 20, 2014. Forms are available at the library, the Town's website and at the Conservation Office.

A proclamation was read by Selectman Askenburg and accepted by Ms. LeFlore.

Arts and Technology Education Fund Annual Awards

Kirk Marshal, ATEF Chairman, thanked the Town for its ongoing support of this program. Grant recipients were called up and photographed, and a description of their project was provided.

Open Session

No one came forward at this time.

Committee Vacancies

Selectman Askenburg read the list of current vacancies. Interested applicants can apply online at <http://www.townofchelmsford.us> or through the Town Manager's office.

Public Hearings

Pole Petition-Billerica Rd.

Joseph Gleason spoke on behalf of Verizon to request to withdraw the Petition without prejudice as he has discovered this proposal was heard last September. He apologized for the confusion.

Motion: by Selectman Askenburg to accept the withdrawal of the Pole Petition for Billerica Rd. without prejudice, as requested. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Reports and Presentations

Gary Persichetti & Steve Jahnle-Mill Rd. and Littleton Rd. Infrastructure

Mr. Jahnle explained recent paving done on Mill Rd. was completed in order to level areas that needed attention. Sidewalk and drainage improvements will be completed next, and then a finish coat will be applied to the road. Pump station improvement work was listed and described. The

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work is being done as the station is at capacity during times of peak flow. This work has received attention due to a development project being planned in this area, however, funding of the work was approved at Spring 2014 Town Meeting, prior to the project being discussed. It was also noted that the proposed project would be serviced by a different pump station. Work being done to widen the road is similar to work done on Warren Avenue, and does not need Planning Board approval. The work has no impact to scenic road requirements.

Work being done on Littleton Rd. is being done by the State, and is not under Chelmsford's jurisdiction. The pump station on Katrina Rd. handles flows from this area, and is not at capacity to date.

Vivian Merrill-Dog Park Design

Mrs. Merrill showed a concept plan of the proposed Dog Park showing a parking area, small dog, large dog, pavilion and agility areas. Grant funding for the construction of the park requires the Town to match 10% of the grant award, which can be up to \$250,000.00. The Chelmsford Dog Association has been able to secure \$2,500.00 from the Community Action Program, and \$10,000.00 from the Community Preservation Committee's Recreation Capital Improvement Account. Mrs. Merrill presented a check for \$15,000.00, which includes the CAP funds, to the Town Manager in order that the Town can apply for the remaining grant funding. Other ongoing fundraising activities were described, and design work is continuing. It is hoped the park can be built by this Fall.

Motion: by Selectman Askenburg to accept the gift of \$15,000.00 from the Chelmsford Dog Association toward additional grant funding for the construction of a public Dog Park at 54 Richardson Rd., as presented. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Marc Grant-Chelmsford Saves Energy Efficiency Program

Residents are invited to participate in an energy assessment of their home, and they will be eligible for free and reduced cost energy saving improvements. Contact information was provided. Funding will be based on response, and Mr. Grant hopes to hold monthly events to increase participation. The goal is to have at least 500 households sign up for the program. As more households sign up for the program, the Town will receive additional funding for outreach purposes.

Town Accountant Performance Evaluation

The draft review was read into the record. The Board agreed that Ms. Lussier works well with employees and is well respected as confirmed by the recently completed DOR report.

Motion: by Selectman Askenburg that the Board of Selectman designate the overall performance evaluation for Darlene Lussier to be "Consistently Exceeds Expected Level of Performance". Seconded by Selectman Joyce. **Motion carries, unanimous.**

BOS Outgoing Correspondence **Chelmsford Rail Notification**

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Chairman Wojtas drafted a letter requesting that the Town be notified of any situation involving a train derailment, not just those involving hazardous materials. Selectman Dixon explained he attended the meeting with Pan Am regarding the derailment in Westford. Hazardous material training was discussed, and a manifest is kept on the train but a limited number of people are allowed to see it. The Fire Chief felt the Westford Chief acted appropriately in the situation in his town. In such an event, there is a concern about leaks and exposure to water bodies, and not having access to a manifest can cause delays to determine a course of action if needed. Selectman Askenburg acknowledged that trains and trucks are a known target for terrorists, so the refusal to share a manifest could be a Homeland Security issue.

Motion: by Selectman Askenburg to accept and submit the proposed letter to the congressional delegation regarding train derailments, written by Chairman Wojtas, as amended. Seconded by Selectman Joyce. **Motion carries, unanimous.**

SWMI Draft Letter

This letter was written to oppose the SWMI regulations as proposed.

Motion: by Selectman Askenburg to accept and submit the proposed letter to the Executive Office of Energy and Environmental Affairs regarding the Sustainable Water Management Initiative (SWMI), as amended. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Town Manager Bid Awards

DPW Bid Awards

Mr. Cohen noted price differences from last year where appropriate on the list provided to the Board.

Motion: by Selectman Askenburg to accept the Town Manger's bid award for FY15 DPW Materials/Service Bids, as presented. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Fire Station Vehicle Exhaust Removal System

This system was not included in the cost to construct the building.

Motion: by Selectman Askenburg to accept the Town Manager's bid award for a Pneumatic Vehicle Exhaust Removal System, to Air Cleaning Specialists of New England, LLC in the amount of \$41,712.00, and that the Bid Alternate amount is not accepted. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Mill Road Sewer Pump Station Upgrade

Motion: by Selectman Askenburg to accept the Town Manager's bid award for Mill Road Sewer Pump Station Upgrades to Methuen Construction Company, Inc. in an amount not to exceed \$552,000.00. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Fire Department Ladder Truck

Fire Chief Curran explained the current ladder truck has been out of service for 4 weeks, and another 2 weeks are expected. They are hoping to have the replacement vehicle by September, which is a demo vehicle. The price of the vehicle under consideration is \$100,000.00 under budget. They would like to enter into a purchase and sale agreement so the vehicle is taken off the market, and they can do training and equipment installation by August. The new vehicle will have a 100 foot tower for the attached bucket.

Motion: by Selectman Askenburg to accept the Town Manager's bid award for one 2013 Smeal Rearmount Tower Ladder on a Smeal Sirius Chassis, to Smeal Apparatus Co. in an amount not to exceed \$895,444.00, as presented. Seconded by Selectman Joyce.

Motion carries, unanimous.

Appointments

Board of Assessors

Motion: by Selectman Joyce to re-appoint Elyssa Magnant to the Board of Assessors. Seconded by Selectman Hanson. Selectman Askenburg abstained, all others in favor.

Motion carries.

Annual Town Manager Appointments

Motion: by Selectman Askenburg to approve the list of Annual Town Manager's re-appointments, as amended. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Annual Board of Selectmen Appointments

Selectman Joyce suggested that the appointment of Town Counsel be reviewed next year.

Motion: by Selectman Askenburg to approve the list of Annual Board of Selectmen re-appointments, as amended. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Town Manager Reports

Notice was received that the Attorney General's Office has approved the warrant articles passed at Spring Town Meeting.

There will be a meeting on Wednesday, June 4, 2014 at the Public Library regarding the Glenview Landfill operation. Everyone is welcome.

Selectmen Liaison Reports and Referrals

Selectman Askenburg:

-Residents and local business owners were encouraged to attend the Glenview Landfill meeting.
-A letter from Sandi Martinez was received regarding the 276 Mill Rd. 40B project. It states the Town failed to hire an independent project engineer to review the entire project. Mr. Cohen explained that peer reviews are paid for by the applicant and were completed as required by the Board of Appeals.

Selectman Joyce:

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- A request was made for more frequent reviews of Town Counsel cases and billing. Mr. Cohen advised monthly invoices can be included in the Selectmen's packets or via e-mail.
- Work at Tri-Board meetings will continue with the next meeting to be determined.
- Policy review requests can be sent to Chairman Wojtas to be discussed on a future agenda.
- The mission and goals of the CIVIC Committee were clarified by Selectman Hanson.

Selectman Hanson:

- Future updates regarding the new Grinder Pump bylaw were requested.
- Office hours will be held on Thursday, at the Java Room from 5:00-6:00PM.

Selectman Dixon:

- Carol Cleven was congratulated for the recent recognition given by the CIVIC Committee.

Chairman Wojtas:

- Participants from McCarthy Middle School were congratulated on their awards received from an online State competition on bridge design.
- A plastic & styrofoam drop-off event is being held on June 7, 2014 from 9:00AM-1:00PM.
- The next book drop-off date for the Library Book sale will be June 14, 2014 from 9:00AM-12:00PM at the Dutton House.
- A work session will be held for the Board on June 23, 2014 starting at 6:00PM to discuss FY15 Board and Town Manager goals.

Press Questions

No one came forward at this time.

Next Regular Meeting: June 16, 2014.

Motion: by Selectman Askenburg to adjourn this meeting at 9:06PM. Seconded by Selectman Joyce. **Motion carries, unanimous.**

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

List of Reference Documents:

- Letter of May 8, 2014 regarding vacancy on Nashoba Valley Technical School District Committee
- Committee Applications for Planning Board vacancy
- Proclamation for National Trails Day
- Chelmsford Arts and Technology Education Fund Award Winners
- List of Committee Vacancies
- Memo of May 20, 2014 regarding the Pole Petition for Billerica Rd.
- Richardson Rd. Dog Park Concept Plan
- Press Release of May 27, 2014 for Chelmsford Saves Program
- Performance Review for Darlene Lussier
- Proposed draft letters for Pan Am Railroad and the Executive Office of Energy and Environmental Affairs

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-FY15 DPW Materials/Services Bid Results, Highway Division Bid Awards, Vehicle Exhaust Removal system Bid Results, Sewer Pump Station Upgrade Bid Results and Ladder Truck Bid Result
-Lists of Town Manager and Board of Selectmen Annual Appointment Renewals